

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

8/20/2013

8:00 pm

Present: Supervisor Alexander J. Gromack  
Council Members Frank Borelli & Stephanie Hausner  
Daniel Kraushaar, Deputy Town Attorney  
Justin Sweet, Town Clerk

Absent : Council Members Shirley Lasker & George Hoehmann

Supervisor declared the Town Board meeting opened. Assemblage saluted the flag.

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On motion of Co. Borelli seconded by Co. Hausner the public hearing re: Proposed Local Law – Amend/Update/Delete Various Chapters of the Town Code was opened, time: 8:01 pm, closed, time: 8:33 pm

RESOLUTION NO. (288-2013) ADOPTED

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On motion of Co. Hausner seconded by Co. Borelli the Public Hearing re: Application of Rockland Jewish Community Center Corporation for a Special Permit for Outdoor Recreation was opened, time: 8:34, TO BE CONTINUED, time: 8:40 pm.

RESOLUTION NO. (303-2013) ADOPTED

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The Supervisor opened the meeting for public comment on the agenda items.

Amy Durbin, Congers  
Inquired about Items 2a and 2b, Personnel Upgrades; Item 9a, Ballfield Netting and Item 26, Budget Amendments.

Frank Grandel, New City  
Inquired about Item 4, Grant for Canoe/Kayak Launch; Item 7, Street Lighting; Item 11b MACTAC Training and Item 16, DePaulis certiorari.

Kevin Hobbs, New City  
Asked how much of the resolutions tonight are bonded and asked for clarification of the \$50,000 for the Police Department; is any of that punitive for recruiting from NYPD.

The Supervisor explained that the personnel upgrades were due to filling the position of a personnel employee who passed away. He explained that the kayak ramp will create access to the Hackensack River if we are approved for the grant. He explained that Item 16 deals with an appraisal to determine value on a piece of property for a tax certiorari case and Item 26 has to do with the distribution of funds received from various sources. Highway employee, Nancy Willen, gave an explanation of the street lighting in Item 7 and Joanne Pedersen of the Recreation Department explained that Item 9 was an authorization to go to bid for ballfield netting. Item 11b, dealing with a \$50,000. reimbursement for MACTAC training, was explained by Police Chief Sullivan.

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RESOLUTION NO. (288-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTERS 5 (ARCHITECTURE AND LANDSCAPE COMMISSION), 93 (ALCOHOLIC BEVERAGES), 173 (LITTERING AND POSTING), 198 (PARENTAL RESPONSIBILITY), 220 (QUARRYING AND BLASTING), 224 (RECORDS), 240 (SHOPPING CENTER PARKING AREAS), 243 (SIGNS), 244 (SIGN CONTRACTORS, LICENSING OF), 249A (STORMWATER MANAGEMENT), 270 (TREE PRESERVATION), 278 (VEHICLES AND TRAFFIC), 290 (ZONING) TO INCORPORATE 249 (SPECIAL PERMITS) IN ITS ENTIRETY, A295 (BOARD OF APPEALS RULES) AND A308 (PUBLIC IMPROVEMENTS, PROCEDURE FOR ACCEPTANCE), AND DELETING CHAPTERS 231 (SANITARY LANDFILLS), 239 (SHOPPING CARTS), 248 (SOLID WASTE TRANSPORTATION AND DISPOSAL), 249 (SPECIAL PERMITS) AND 263 (TAXICABS) OF THE CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilperson Hoehmann at a Town Board meeting held on May 7, 2013, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 7, 2013, directed that a public hearing be held on July 2, 2013, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on July 2, 2013, and said public hearing was continued to August 20, 2013, and

WHEREAS, notices of said hearing and continuation of hearing were duly prepared and published in the Journal News on June 24, 2013 and August 12, 2013, respectively, and

WHEREAS, by resolution adopted May 7, 2013, the Town Board referred the portion of the proposed local law amending Chapter 243 (Signs) to the Clarkstown Planning Board for their comment, pursuant to §290-33 of the Zoning Local Law of the Town of Clarkstown, and to the Rockland County Commissioner of Planning, pursuant to General Municipal Law §§239-1 & m, and

WHEREAS, a copy of the proposed local law was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on June 24, 2013, and

WHEREAS, a copy of a revised proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on August 12, 2013, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Environmental Assessment Form and proposed Negative Declaration, prepared by Jose Simoes, Principal Planner for the Town of Clarkstown, as agent for the Town Board, pursuant to SEQRA, which pertains to the amendment to Chapter 243 (Signs) and which the Board has discussed and considered in making its decision herein, and

WHEREAS, the Rockland County Planning Department provided their written report on June 20, 2013 recommending approval of the proposed local law since it will have no adverse impacts on any County-wide interests and remanding it for local determination, and

WHEREAS, Jose Simoes, Town Planner, by memo dated June 20, 2013, found that the portion of the proposed local law amending Chapter 243 (Signs), in concept, is consistent with the aims and principles of the Zoning Code and the Town's Comprehensive Plan in that it is a text amendment to permit restaurants in open malls or freestanding out-buildings to have one sign on each exterior façade surrounding their space, and

WHEREAS, by resolution dated June 19, 2013, the Town of Clarkstown Planning Board found that while signage on buildings may receive consideration and comment from the Planning Board, ultimately, it is the Architecture and Landscape Commission (ALC) that is tasked with review of signage and, as such, the ALC should review the portion of the proposed local law amending Chapter 243 (Signs), which it has;

NOW, THEREFORE, be it

RESOLVED, that based upon the EAF prepared by Jose Simoes, Principal Planner, acting as agent to the Town Board as lead agency, it is hereby determined that (1) the proposed action is an unlisted action under SEQRA, and (2) the proposed action will not have the potential to significantly impact the environment, and be it

RESOLUTION NO. (288-2013) continued

FURTHER RESOLVED, that the Town Board has reviewed and hereby accepts the attached Negative Declaration, and directs that same be filed, distributed and published pursuant to 6 NYCRR Part 617.7(b), and be it

FURTHER RESOLVED, that Local Law No. – 2013 entitled: “A LOCAL LAW AMENDING CHAPTERS 5 (ARCHITECTURE AND LANDSCAPE COMMISSION), 93 (ALCOHOLIC BEVERAGES), 173 (LITTERING AND POSTING), 198 (PARENTAL RESPONSIBILITY), 220 (QUARRYING AND BLASTING), 224 (RECORDS), 240 (SHOPPING CENTER PARKING AREAS), 243 (SIGNS), 244 (SIGN CONTRACTORS, LICENSING OF), 249A (STORMWATER MANAGEMENT), 270 (TREE PRESERVATION), 278 (VEHICLES AND TRAFFIC), 290 (ZONING) TO INCORPORATE 249 (SPECIAL PERMITS) IN ITS ENTIRETY, A295 (BOARD OF APPEALS RULES) AND A308 (PUBLIC IMPROVEMENTS, PROCEDURE FOR ACCEPTANCE), AND DELETING CHAPTERS 231 (SANITARY LANDFILLS), 239 (SHOPPING CARTS), 248 (SOLID WASTE TRANSPORTATION AND DISPOSAL), 249 (SPECIAL PERMITS) AND 263 (TAXICABS) OF THE CODE OF THE TOWN OF CLARKSTOWN”

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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The Clerk of the Town of Clarkstown is directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

RESOLUTION NO. (289-2013)  
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that the Town Board Minutes of July 2, 2013 are hereby accepted, as submitted by the Town Clerk.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (290-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12123 (PROM)Personnel Assistant which contains the name of Frances H. Hunt, Now, therefore, be it

RESOLVED, that Frances H. Hunt, 10 Jolen Drive, New City, New York, is hereby appointed to the (prom)(permanent) position of Personnel Assistant – Personnel Department - at the current 2013 annual salary of \$86,568.,effective and retroactive to August 12, 2013.

RESOLUTION NO. (290-2013) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
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RESOLUTION NO. (291-2013)  
 Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Theresa Sullivan-Peters, 16 Wesel Road, Nanuet, New York – is hereby appointed (promotional) (provisional) to the position of Personnel Clerk – Personnel Office – at the current 2013 salary of \$62,203., effective and retroactive to August 13, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
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RESOLUTION NO. (292-2013)  
 Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13035 Computer Installation Assistant – which contains the name of Sean H. Jordan, NOW, THEREFORE BE IT RESOLVED, that Sean H. Jordan, 36 Strawberry Hill Lane, West Nyack, New York – is hereby appointed (Permanent) to the position of Computer Installation Assistant – Data Processing - at the current 2013 annual salary of \$46,874., - effective August 20, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
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RESOLUTION NO. (293-2013)  
 Co. Borelli offered and Co. Hausner seconded

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of C.S.E.A., Anthony J. Pagliuca, 173 Massachusetts Avenue, Congers, New York – Groundskeeper – Parks and Recreation Department is hereby granted a Sick Leave of Absence at one-half pay effective and retroactive July 24, 2013 thru August 24, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
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RESOLUTION NO. (294-2013)  
Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Valerie A. Cassidy, 11 Fourth Avenue, Nyack, New York – Senior Clerk Typist – Department of Environmental Control – is hereby granted, as per her request, a leave pursuant to the Family and Medical Leave Act effective and retroactive July 22, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (295-2013)  
Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Louis V. Allen, 128 Old Haverstraw Road, Congers, New York – is hereby appointed to the position of (part time)Municipal Bus Driver – Clarkstown Mini Transportation at the 2013 hourly rate of \$20.62., - effective and retroactive to August 5, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (296-2013)  
Co. Borelli offered and Co. Hausner seconded

RESOLVED, that Gaetano U. Massa, 4 Germonds Road, New City, New York – is hereby reappointed to the position of Member - Zoning Board of Appeals – at the 2013 annual salary of \$5,700., term effective and retroactive to July 13, 2013 to July 12, 2018.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (297-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, by Resolution No. 510-2012, adopted November 8, 2012, the Town Board set the Town Board Meeting and Workshop Meeting schedule for the year 2013, and

WHEREAS, the Town Board wishes to move the scheduled October 8, 2013 Town Board meeting to October 1, 2013;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 510-2012 by moving the October 8<sup>th</sup> Town Board meeting to October 1, 2013 at 8 p.m.

On roll call the vote was as follows:

Co. Lasker . . . . .	Absent
Co. Borelli. . . . .	Yes
Co. Hoehmann . . . . .	Absent
Co. Hausner. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (298-2013)

Co. Hausner offered and Co. Borelli seconded

Whereas, the State of New York Office of Parks, Recreation and Historic Preservation has established funds for local governments to apply for a grant associated with the development of projects in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, and

Whereas, the Town of Clarkstown Parks and Recreation Commission has proposed the construction of a Kayak and Canoe Launch, with amenities, to be located on vacant Town land adjacent to the CSX Railroad tracks at Western Highway and the west shore of the Hackensack River, West Nyack, New York, and

Whereas, the Town of Clarkstown has selected the site for a Kayak and Canoe Launch to enhance and beautify the degraded parcel conveyed to the Town by Orange and Rockland and to provide the first nonmotorized launch area in the Town and the first on the Hackensack in Rockland County and make the river safely accessible to the public for the first time, and

Whereas, the Town of Clarkstown has recognized the scenic and environmental character and unique value of the West Nyack site as a public access point to the Hackensack River, and has developed plans for a park-like setting for the Kayak and Canoe Launch to preserve open space, protect the environmental resources of the site and provide recreation and environmental education opportunities, and

Whereas, the public has supported the development of a Kayak and Canoe Launch and made its support known, and

Whereas, the Superintendent of Parks and Recreation has recommended that the Town enter into an agreement with the State to apply for said grant, and

Whereas, there exists a need to secure financial assistance to develop the proposed West Nyack Kayak and Canoe Launch that it may be available for public use and enjoyment, and

Whereas, the Town Board of the Town of Clarkstown wishes to file an application with the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Preservation Act of 1993, in a form approved by the Town Attorney, for a grant not to exceed \$150,000 to support the construction of the Kayak and Canoe Launch at Western Highway, West Nyack, New York, and

RESOLUTION NO. (298-2013) continued

Whereas, upon approval of the application by the State, the Town shall execute an agreement for financial assistance for the project;

Now, Therefore, Be It

Resolved: that the Supervisor is hereby authorized to apply to the New York State Office of Parks, Recreation and Historic Preservation for a grant in the amount not to exceed \$150,000, and enter into an agreement and any supporting documents, in a form approved by the Town Attorney, to obtain funding to support the construction of the Kayak and Canoe Launch at Western Highway, West Nyack, New York.

On roll call the vote was as follows:

Co. Lasker . . . . .	Absent
Co. Borelli. . . . .	Yes
Co. Hoehmann . . . . .	Absent
Co. Hausner. . . . .	Yes
Supervisor Gromack . . . . .	Yes

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RESOLUTION NO. (299-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Town of Clarkstown herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> Century and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users provided funding opportunities for activities intended to benefit the traveling public, to increase transportation choices and access, to enhance the built and natural environment and to provide a sense of place; and

WHEREAS, the activities of the Project herein benefit the traveling public, increase access to public transportation, enhance the built environment and further the Municipality's plans for the revitalization of the Hamlet of West Nyack; and

WHEREAS, the Municipality deems it to be in the public interest and benefit under these acts to authorize and direct Alexander J. Gromack, as Supervisor of the Town of Clarkstown, New York, to file an application for funds to the New York State Department of Transportation, Transportation Enhancement Program.

NOW, THEREFORE, BE IT RESOLVED BY - the Members of the Town Council of the Town of Clarkstown:

1. That Alexander J. Gromack, as Supervisor, is hereby authorized to file an application for funding in support of the construction of new ADA-compliant sidewalks and curbcuts, improved and reconfigured crosswalks and the installation of new street lighting and related streetscape improvements along Strawtown Road north to the high school, and along Sickletown Road south to the neighborhoods at Van Houten Fields; and

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work upon execution of a contract with New York State Department of Transportation.

RESOLUTION NO. (299-2013) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (300-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, Genesis Ceballos, representative for Ambulance Brew House Corp, has advised the Town by letter dated July 29, 2013, pursuant to Section 64-2(a) of the Alcoholic Beverage Control Law, that Ambulance Brew House Corp has applied for an on-premises liquor license at 202 Main Street, Nanuet, New York, and

WHEREAS, to expedite processing said corporation’s license application, Genesis Ceballos has requested that the Town Board waive the thirty day waiting period provided by law, and

WHEREAS, the Town Board does not intend to comment upon such application;  
NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic Beverage Control Law, and states that it does not intend to offer any comments regarding the application of Ambulance Brew House Corp for a license at premises located at 202 Main Street, Nanuet, New York.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (301-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, a resident of South Mountain Road, New City, in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

WHEREAS, a physical survey of the surrounding property directly affected by this proposed lighting was conducted by the Department of Environmental Control; and

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #60090/42911;

NOW, THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby accepts the proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

In front of house # 715 South Mountain Road, New City  
 (Install one (1) each - 5,800 lumen 70 watt sodium vapor street light)

RESOLUTION NO. (301-2013) continued

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment will be at \$12.42 per month for each sodium vapor fixture, plus market supply charge, fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (302-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, a resident of Derby Lane, New City, in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

WHEREAS, a physical survey of the surrounding property directly affected by this proposed lighting was conducted by the Department of Environmental Control; and

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #60090/41468;

NOW, THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby accepts the proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Pole #60090/41468 located on the east side of Strawtown Road between house #261 and house #265 Strawtown Road, New City near the intersection of Derby Lane :

(Install one (1) each - 5,800 lumen 70 watt sodium vapor street light)

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment will be at \$12.42 per month for each sodium vapor fixture, plus market supply charge, fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (303-2013)  
Co. Hausner offered and Co. Borelli seconded

WHEREAS, Rockland Jewish Community Center Corporation, by its attorney Donald S. Tracy, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17T of the Zoning Local Law, to utilize additional lands known as Tax Maps 58.19-1-11 and 58.19-1-9.26 and located at 450 West Nyack Road, West Nyack, New York, which consists of the subject property and part of the adjacent property owned by the Clarkstown Central School District, for outdoor recreation, and

RESOLUTION NO. (303-2013) continued

WHEREAS, on August 20, 2013, a public hearing was held to consider said application, and at such time it was determined by the Town Board that the hearing be continued on September 10, 2013 because there is not a quorum of eligible voting members present; NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing, pursuant to § 290-17T, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on September 10, 2013, at 8:00 p.m., or as soon thereafter as possible, relative to such special permit application, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (304-2013)  
Co. Borelli offered and Co. Hausner seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

BID#21-2013 – BALLFIELD NETTING AT ZUKOR PARK

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (305-2013)  
Co. Borelli offered and Co. Hausner seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

BID#22-2013 – FURNISH & INSTALL SYNTHETIC RUBBER FLOORING IN CONGERS COMMUNITY CENTER GYMNASIUM

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

RESOLUTION NO. (305-2013) continued

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (306-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept and record a permanent drainage easement, in a form approved by the Town Attorney, on property located at 17 Denver Drive, New City, New York (Tax Map: 34.5-1-37), in connection with the Denver Drive Culvert Replacement and Drainage Improvement Project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept said Drainage Easement from Simon and Angela Dutton at 17 Denver Drive, New City, New York and execute any ancillary documents to effectuate such conveyance on behalf of the Town of Clarkstown, and orders said easement to be recorded in the Rockland County Clerk's Office at the expense of the Town, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to June 24, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (307-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the County of Rockland, through its Department of Public Transportation, is desirous of entering into an agreement with the Town of Clarkstown for maintenance and upkeep of park and ride lots located at:

1. Exit 12 – Route 303 P&R Lot 1
2. Exit 12 – Route 303 P&R Lot 2
3. Exit 14 – East P&R Lot
4. Exit 14 – West P&R Lot
5. Exit 14 – North P&R Lot
6. Nanuet RR @ Fisher Ave. P&R Lot
7. Middletown Rd. @ Exxon P&R Lot
8. Valley Cottage P&R Lot
9. Smith Street P&R Lot
10. Middletown Rd./PIP Exit 10 P&R Lot
11. Route 304/Cavalry Dr. P&R Lot

and

WHEREAS, the County of Rockland agrees to pay the Town the sum of \$340,000.00 in connection with maintenance of the park and ride lots;

RESOLUTION NO. (307-2013) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into such agreement with the County of Rockland, in a form approved by the Town Attorney, for the period January 1, 2013 and terminating December 31, 2013, to provide maintenance and upkeep of park and ride lots located at sites referred to herein, and be it

FURTHER RESOLVED, that the County of Rockland agrees to reimburse the Town of Clarkstown for said work in a sum not to exceed \$340,000.00.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

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RESOLUTION NO. (308-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the County of Rockland has tendered a contract award to the Town of Clarkstown Police Department for reimbursement for instructor overtime during MACTAC training courses at the Police Academy in 2011 in the amount of Fifty Thousand Dollars and No Cents (\$50,000.00), in accordance with the 2008 SHSP Homeland Security Grant Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to obtain instructor overtime reimbursement in the amount of \$50,000.00 for MACTAC training courses at the Police Academy, and be it

FURTHER RESOLVED, that said authorization is hereby made retroactive to July 25, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (309-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Clarkstown Central School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Clarkstown Central School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2013-2014 school year, and be it

FURTHER RESOLVED, that the Clarkstown Central School District shall pay \$2,350 for each child duly enrolled in the Universal Pre-Kindergarten Program.

RESOLUTION NO. (309-2013) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (310-2013)  
 Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Nyack School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that hereby authorizes the Supervisor to enter into an agreement with the Nyack School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2013-2014 school year, and be it

FURTHER RESOLVED, that the Nyack Central School District shall pay \$2,420 for each child duly enrolled in the Universal Pre-Kindergarten Program.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (311-2013)  
 Co. Borelli offered and Co. Hausner seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into “Adopt a Municipal Park, Shoreline or Roadway Programs” with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to continue to adopt the below segments of Town roads for an additional period of one (1) year, beginning September 25, 2013 to September 25, 2014, as follows:

Sponsor: Tilcon New York, Inc.  
 162 Old Mill Road  
 West Nyack, NY 10994

Road: 0.4 mile segment of Old Mill Road, from Tilcon’s driveway  
 to Snake Hill Road Bridge, West Nyack

and

0.6 mile segment of Crusher Road, beginning at bridge over  
 West Shore Railroad to corner of Casper Hill Road, West Nyack

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in removing trash from the above roadways that would otherwise require Town employees to perform such work;

RESOLUTIN NO. (311-2013) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of one (1) year beginning September 25, 2013 to September 25, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above segments, and to provide and coordinate services by the above named, to remove trash from the roadways.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (312-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to continue to adopt the below three (3) segments of various town roads for an additional period of two (2) years, beginning October 1, 2013 to October 1, 2015, as follows:

Sponsor: Impact Property Services, Inc.  
44 Thiells Mt. Ivy Road  
Pomona, NY 10970

Roads: 0.41 mile segment of Casper Hill Road from  
Crusher Road to Route 303, Valley Cottage;

and

1.24 mile segment of Mountainview Avenue from Christian Herald  
Road to Mountainview Condominiums, Valley Cottage;

and

0.44 mile segment of Demarest Mill Road from Germonds Road  
to dead end of Demarest Mill Road, West Nyack

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in removing trash from the above roadways that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning October 1, 2013 to October 1, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above segments, and to provide and coordinate services by the above named, to remove trash from the roadways.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (313-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to continue to adopt the below segment of a town road for an additional period of two (2) years, beginning September 1, 2013 to September 1, 2015, as follows:

- Sponsor: Aldan Press  
57 Bardonia Road  
Bardonia, NY 10954
- Road: 0.9 mile segment of Ludvigh Road,  
from Route 304 to Middletown Road,  
Bardonia, NY

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in removing trash from the above roadway that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years beginning September 1, 2013 to September 1, 2015, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above segment, and to provide and coordinate services by the above named, to remove trash from the roadways.

On roll call the vote was as follows:

- Co. Lasker . . . . . Absent
- Co. Borelli. . . . . Yes
- Co. Hoehmann . . . . . Absent
- Co. Hausner. . . . . Yes
- Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (314-2013)  
Co. Hausner offered and Co. Borelli seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the O.T. Delivery Systems, Inc. site plan (tax map 59.01-1-23), Ford Products Road Owner LLC has provided a stormwater control facility maintenance agreement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyance; and the Town Attorney has advised that the document is in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the stormwater control facility maintenance agreement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from Ford Products Road Owner LLC in connection with the O.T. Delivery Systems, Inc. site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

RESOLUTION NO. (314-2013) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
 \*\*\*\*\*

RESOLUTION NO. (315-2013)  
 Co. Hausner offered and Co. Borelli seconded

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the 128 North Route 9W Inc. site plan (tax map 44.12-2-47), 128 Route 9W Inc. has provided a stormwater control facility maintenance agreement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyance; and the Town Attorney has advised that the document is in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the stormwater control facility maintenance agreement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from 128 Route 9W Inc. in connection with the 128 North Route 9W Inc. site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
 \*\*\*\*\*

RESOLUTION NO. (316-2013)  
 Co. Hausner offered and Co. Borelli seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Charles Elin (52.07-2-58), the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Gilchrest Road, Congers, New York, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of the conveyance; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the First Deputy Director of the Department of Environmental Control of the Town of Clarkstown, deed dated July 29, 2013 from Charles and Miriam Elin to the Town of Clarkstown, gratuitously conveying a strip of land along Gilchrest Road, Congers, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes  
 \*\*\*\*\*

RESOLUTION NO. (317-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, Depaulis Enterprises V, LTD. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map Nos. 44.7-2-10, 44.7-2-10.1, 10.2, 15, 17 and 35.19-2-18, 19, 20, and more commonly known as 27 Meola Road, 29 Meola Road, 85 Brenner Drive, 148 Old Haverstraw Road, and 25 Meola Road; 16 Meola Road, 1 Old Orchard Lane and 255 N. Route 303, respectively, all properties being located in Congers, New York, for the year(s) 2008/09, 2009/10, 2010/11, 2011/12, 2012/13 and 2013/14, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Valuation Plus be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$3,500; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (318-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, a School Resource Officer Program has been proposed for the Clarkstown Central School District, and

WHEREAS, the Board of Education of the Clarkstown Central School District and the Clarkstown Police Department desire to provide law enforcement services of three (3) police officers to be assigned to the school district on a full time basis as the School Resource Officers;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Clarkstown Central School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of three (3) police officers to the Clarkstown Central School District on a full time basis, for the period September 1, 2013 through June 30, 2014, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Clarkstown Central School District to the Town of Clarkstown in the amount of \$118,677.00 for the School Resource Officers.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . . Yes

\*\*\*\*\*

RESOLUTION NO. (319-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, a School Resource Officer Program has been proposed for Rockland BOCES and

WHEREAS, the Board of Education of Rockland BOCES and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to Rockland BOCES on a full time basis as the School Resource Officer;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of Rockland BOCES, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to Rockland BOCES on a full time basis, for the period September 1, 2013 through June 30, 2014, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of Rockland BOCES to the Town of Clarkstown in the amount of \$120,000.00 for the School Resource Officer.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes  
\*\*\*\*\*

RESOLUTION NO. (320-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12023 (Perm) Records Clerk Typist (L.E.) – which contains the name of Samantha Correa,

NOW THEREFORE BE IT RESOLVED, that Samantha Correa, 334 Fulle Drive, Valley Cottage, New York – is hereby appointed (Promotional) (Permanent) to the position of Records Clerk Typist (L.E.) – Police Records – at the current 2013 annual salary of \$56,934., effective and retroactive to August 12, 2013.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes  
\*\*\*\*\*

RESOLUTION NO. (321-2013)  
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the County of Rockland, pursuant to the Cooperation Agreement between the Town of Clarkstown and the County of Rockland, applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended, Public Law 93-383 and Program Year 2013;

NOW, THEREFORE, be it

RESOLUTION NO. (321-2013) continued

RESOLVED, that the Town Board hereby authorizes and directs the Supervisor to execute an agreement with the County of Rockland, in a form satisfactory to the Town Attorney, for the allocation of the 2013 Community Development Block Grant Program funds to the Town of Clarkstown with regard to a transport vehicle to transport senior citizens (\$35,000) and accessible pedestrian signals and detectors: tactile arrows and locator tones at Squadron Boulevard and North Main Street, New City (\$30,000) in an amount not to exceed \$65,000.00.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (322-2013)  
Co. Borelli offered and Co. Hausner seconded

WHEREAS, by Resolution No. 149-2003, the Town of Clarkstown has agreed to comply with Part II of the SPDES General Permit for discharge of storm water, and

WHEREAS, Luke Kalarickal, Director of Environmental Control, has recommended that the Town enter into an agreement with Cornell Cooperative Extension to provide services consisting of an educational program for storm water management in the Town of Clarkstown in order to comply with the regulations for such program;

NOW, THEREFORE, be it

RESOLVED, that Supervisor Alexander J. Gromack is hereby authorized to enter into an agreement with Cornell Cooperative Extension, in a form approved by the Town Attorney, to provide an educational and outreach program for storm water management within the Town, which shall comply with applicable regulations, and be it

FURTHER RESOLVED, that the Town of Clarkstown representative for the 2013 Storm Water II Education Program shall be Luke Kalarickal, P.E., Director of the Department of Environmental Control, and the alternate representative shall be Dennis Letson, P.E. Deputy Director of DEC, and be it

FURTHER RESOLVED, that the cost of said services shall be five thousand four hundred forty dollars (\$5,440.00) per year and shall be charged to Account No. A-8730-409.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (323-2013)  
Co. Hausner offered and Co. Borelli seconded

WHEREAS, the Town of Clarkstown has joined the Municipal Consortium in Support of Reasonable Water Rates in connection with United Water’s 2013 Rate Case 13-W-0295 before the Public Service Commission, and

WHEREAS, Daniel P. Duthie, Esq. has submitted a proposal dated July 23, 2013 to represent and provide legal services to the Town of Clarkstown as part of its share in connection with the case before the Public Service Commission, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price, and recommends the hiring of Daniel P. Duthie, Esq.;

RESOLUTION NO. (323-2013) continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Daniel P. Duthie, Esq., in a form approved by the Town Attorney, to provide legal services pursuant to his proposal dated July 23, 2013, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$15,000.00 for the Town of Clarkstown's share of the fee, and said fee will be charged to Account No. A 1420-409.

On roll call the vote was as follows:

Co. Lasker . . . . .	Absent
Co. Borelli. . . . .	Yes
Co. Hoehmann . . . . .	Absent
Co. Hausner. . . . .	Yes
Supervisor Gromack . . . . .	Yes

\*\*\*\*\*

RESOLUTION NO. (324-2013)

Co. Borelli offered and Co. Hausner seconded

Whereas, the Town Board of the Town of Clarkstown has, via resolution #171-2013, authorized the Director of the Department of Environmental Control to retain the services of MRJ Excavating, Inc. of New City, New York to perform corrective drainage work at #141 Helene Road in Valley Cottage, and

Whereas, two other instances of adverse drainage conditions were made aware to the Department of Environmental Control by the residents at #179 Charles Boulevard and #182 Quaspeck Boulevard in Valley Cottage, and

Whereas, the Department of Environmental Control has made an inspection at both locations and formulated plans to alleviate said adverse conditions, to wit, the installation of an asphalt berm along the width of the entrance to the driveway at #179 Charles Boulevard and the installation of a concrete field inlet with metal grate within the right-of-way adjacent to the driveway at #182 Quaspeck Boulevard and tying it into the existing storm drain system; and

Whereas, the Department of Environmental Control has solicited a proposal from MRJ Excavating, Inc. to perform this additional work at both locations in accordance with said plans; and

Whereas, MRJ Excavating, Inc. has provided a proposal in the amount of \$4,675.00 to perform said work that, upon examination, the Department of Environmental Control has found to be acceptable,

Now, Therefore, Be It Resolved that the Town Board of the Town of Clarkstown authorizes an increase in the allotment for this work in the amount of said proposal for a new total of \$14,485.00; and

Be It Further Resolved that the amount for this work shall not be further increased without further resolution of the Town Board of the Town of Clarkstown; and

Be It Further Resolved that this shall be a proper charge to account #H-8755-400-409-0-79-1.

On roll call the vote was as follows:

Co. Lasker . . . . .	Absent
Co. Borelli. . . . .	Yes
Co. Hoehmann . . . . .	Absent
Co. Hausner. . . . .	Yes
Supervisor Gromack . . . . .	Yes

\*\*\*\*\*

RESOLUTION NO. (325-2013)  
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrant in conjunction with Hydrant Investigation No. 1-199,

Hydrant #7814H – 11 South Pascack Rd.

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Vincent Narciso, Chief Fire Safety Inspector.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (326-2013)  
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrant in conjunction with Hydrant Investigation No. 1-196,

Hydrant #8155H – 2 Pearlman Drive

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Vincent Narciso, Chief Fire Safety Inspector.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
Co. Borelli. . . . . Yes  
Co. Hoehmann . . . . . Absent  
Co. Hausner. . . . . Yes  
Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (327-2013)  
Co. Hausner offered and Co. Borelli seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrant in conjunction with Hydrant Investigation No. 3-8,

Hydrant #1714H – 3 Second Avenue

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Vincent Narciso, Chief Fire Safety Inspector.

RESOLUTION NO. (327-2013) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (328-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the first two (2) phases (feasibility study and permitting process) for the installation of a solar panel field located at the Town landfill have been completed and the Town Board now wishes to proceed with the Project, and

WHEREAS, the Town Board has received a proposal from Holzmacher, McLendon & Murrell (H2M), dated August 16, 2013, to provide professional engineering services and the services of a sub-consultant to the Town of Clarkstown in connection with the Project;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to retain Holzmacher, McLendon & Murrell (H2M), 254 South Main Street, Suite 400, New City, New York, to provide additional engineering services and additional construction management services, the preparation of construction completion report and development services to be provided by a sub-consultant, and be it

FURTHER RESOLVED, that the fees for the additional services shall not exceed \$70,500.00, without further authorization from the Town Board, and be it

FURTHER RESOLVED, that said fees shall be a proper charge to Capital Account No. H 8765-409-88-15, and be it

FURTHER RESOLVED, that, to the extent possible, said fees shall be offset by funding from the New York Power Authority and NYSERDA.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (329-2013)

Co. Hausner offered and Co. Borelli seconded

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown by disbursing forfeiture funds to the Police Department for the purchase of rifles, and

WHEREAS, the Legislature of Rockland County has provided funds for this agreement in the 2013 Budget and in Resolution 444 of 2013 for the professional services of the Town of Clarkstown for the period hereinafter stated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept a sum not to exceed TWENTY-ONE THOUSAND EIGHT HUNDRED FORTY DOLLARS AND NO CENTS (\$21,840.00) for the purchase of rifles for the period January 1, 2013 and terminating December 31, 2013.

RESOLUTION NO. (329-2013) continued

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

\*\*\*\*\*

RESOLUTION NO. (330-2013)

Co. Borelli offered and Co. Hausner seconded

WHEREAS, the Town has received \$388,749.98 from the Rockland County Sewer District #1, \$218,044.12 from the State of New York, \$4,868 from the State of New York, \$17,966.97 from Seized Property and \$485.00 from D.A.R.E. donations

NOW THEREFORE BE IT, RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital-Sewer Pump Station & Collection System Upgrade) by \$388,749.98 and be it

RESOLVED, to increase Revenue Account H-15-10-3989-0 (Capital-State Aid) and Expense Account H-8754-409-0-78-26 (Capital Project-Buena Vista Rd/Storm Drain Improvement Project) by \$218,044.12 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-10-3060-0 (Capital-NYS Archives Grant) and Expense Account H-8758-409-0-82-37 (Capital Projects-Records Management Improvement Project) by \$4,868 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-11-4320-0 (General-Seized Property) and increase Expense Account A-3120-307-0 (Police-Uniforms) by \$17,966.97 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-9-2705-0 (General Fund-Gifts & Donations) and Expense Account A-3230-319-0 (D.A.R.E.-Misc Supplies) by \$1,158.92 and

WHEREAS, certain accounts need additional funding,

NOW THEREFORE BE IT, RESOLVED, to decrease Expense Account A-7310-114-0 (Youth Programs-Part Time) and Increase A-7310-409 (Youth Programs-Fees for Services) by \$7,500 and be it

FURTHER RESOLVED, to decrease Expense Account A-7180-219-0 (Swimming Facilities-Misc Equipment) and Increase Expense Account A-7180-306-0 (Swimming Facilities-Maintenance Supplies) by \$2,000 and be it

FURTHER RESOLVED, to decrease Expense Account A-7140-424-0 (Parks & Playgrounds-Contractual Expenses) and increase Expense Account A-7140-423-0 (Parks & Playgrounds-Chemicals) by \$4,100.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent  
 Co. Borelli. . . . . Yes  
 Co. Hoehmann . . . . . Absent  
 Co. Hausner. . . . . Yes  
 Supervisor Gromack . . . . .Yes

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The Supervisor opened the meeting for general public comments.

Matt Brennan, New City

Regarding “No Parking” signs at Rockland Lake, he asked the Board to restrict this to one side of street so hikers can park there. He spoke about high parking rates at the State parks and also feels that the rates for the Town pools are too expensive and people cannot afford to join.

Michael Hull, Bardonia

He feels the recent tape recording by Mr. Sparaco reveals a shameful level of conduct and asked what steps are going to be taken so this practice does not continue.

Marge Hook, New City

She complained about the high overtime paid to Fleet Manager, Dennis Malone, and about the alleged unready state of certain highway equipment.

In response to a previous question, Chief Sullivan explained the hiring practices for the Clarkstown police department and reimbursement for hiring NYPD officers.

Frank Grandel, New City

Inquired as to why Dennis Malone is the only department head who is allowed to collect overtime.

Tom Nimick, New City

Spoke of unethical practices in the Town and referenced the incident between Mr. Sparaco, Co. Borelli and Mr. Malone.

Steve Levine, Congers

Read a letter into the record requesting an extension of the three minute speaking rule and complained about the mall and its history of not abiding by agreements.

Kevin Hobbs, New City

Thanked Chief Sullivan for answering his previous question. He asked that the Board explain at the beginning of each meeting how much the resolutions are going to cost in debt.

Amy Durbin, Congers

Asked why Dennis Malone is exempt from attending Town Board meetings.

Supervisor Gromack stated that the “No Parking” signs at Rockland Lake were due to a formal request from the Rockland Lake Fire Department. He explained sparse attendance at pools was due to cool weather. He stated that the Fleet Manager will be giving a report at the September workshop and the reason he is entitled to overtime is because he is a member of the CSEA bargaining unit. Regarding the cost of the resolutions, they all have an associated number with them within the budget.

There being no one further wishing to be heard on motion of Co. Hausner seconded by Co. Borelli, the Town Board Meeting was closed, time: 9:14 pm.

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

8/20/13

8:01 pm

Present: Supervisor Alexander J. Gromack  
Council Members Frank Borelli & Stephanie Hausner  
Daniel Kraushaar, Deputy Town Attorney  
Justin Sweet, Town Clerk

Absent: Council Members Shirley Lasker & George Hoehmann

Re: Continuation - Proposed Local Law entitled: Re: Proposed Local Law entitled: "A Local Law Amending Chapters 5, 93,173, 198, 220, 224, 240, 243, 244, 249A, 270, 278, 290, A295, A308 and Deleting Chapters 180, 231, 239, 248, 249 and 263 of the Town Code"

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The Deputy Town Attorney explained what corrections were made to this proposed local law as a result of last month's public hearing. The Supervisor asked if there was anyone wishing to speak.

Tom Nimick, New City

Thanked the Board for taking in the comments that he provided at the previous public hearing. He spoke of the need for a revision of Chapter 18, Ethics and read and submitted proposed amendments to the Ethics Code. He asked if the Ethics Board or the Town Board had taken any action in response to recent incidents involving Mr. Sparaco, Co. Borelli and Mr. Malone.

Steven Levine, Congers

Supports the proposed amendments Mr. Nimick spoke of. He proposed changes to various chapters in the Code and submitted copies to the Town Board for their consideration.

Jeff Millman, Deputy Town Attorney

He explained the procedure for bringing a complaint before the Board of Ethics and stated that, to date, there has been nothing brought before the Board relating to incidents Mr. Nimick spoke of.

Ralph Sabatini, New City

Asked if anyone can bring a complaint to the Board of Ethics.

Mr. Millman stated that anyone could.

There being no one further wishing to speak on motion of Co. Hausner seconded by Co. Borelli the Public Hearing was closed, time: 8:33 pm

RESOLUTION NO. (288-2013) ADOPTED

Respectfully submitted,

Justin Sweet  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

8/20/13

8: 34 pm

Present: Supervisor Alexander J. Gromack  
Council Members Frank Borelli & Stephanie Hausner  
Amy Mele, Town Attorney  
Justin Sweet, Town Clerk

Absent: Council Members Shirley Lasker & George Hoehmann

Re: Application of Rockland Jewish Community Center Corp for a Special Permit for Outdoor Recreation.

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Town Clerk, Justin Sweet, read the notice of public hearing. On motion of Co. Hausner seconded by Co. Borelli the public hearing was opened.

Deputy Town Attorney Daniel Kraushaar gave a brief overview of the application and explained that Mr. Borelli had recused himself from voting, but that this would not prohibit him from voting to continue the public hearing to September.

There being no one further wishing to speak on motion of Co. Hausner seconded by Co. Borelli the Public Hearing is to be continued at the September Town Board meeting, time: 8:40 pm

RESOLUTION NO. (303-2013) ADOPTED

Respectfully submitted,

Justin Sweet  
Town Clerk